

# **Management System: Contracting and Financial Assistance**

## **Subject Area: Acquisitions (Over Simplified Acquisition Threshold)**

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### **1.0 Introduction**

This subject area describes procedures for certain aspects of the pre-award acquisition process for Environmental Management Consolidated Business Center (EMCBC) Contract Specialists (CS) and Contracting Officers (CO) for acquisitions over the simplified acquisition threshold. The pre-award processes apply to acquisition planning, solicitation, and source selection. See the Simplified Acquisitions Subject Area for procedures pertaining to acquisitions under \$150,000.

The contract planning process involves identifying current and future needs, researching the market, and determining the best path to fill those needs. This process includes coordination with DOE program management and others to develop a sound acquisition strategy and plan. Contracting should be accomplished with consideration given to mandated sources, socioeconomic program goals, and existing contractual vehicles established by other Federal agencies.

The contract solicitation process involves formal announcements identifying DOE's need for products/services, requests to vendors to submit proposals/bids/quotes, formally addressing vendor questions regarding solicitations, and processing solicitation amendments. The Government evaluates proposals/offers/bids in technical, cost, and business arenas in accordance with criteria established in the solicitation. Evaluation leads to identification of the apparent successful offeror(s).

The Government makes award to the offeror(s) that provides the best value and meets the expectations stated in the evaluation criteria. Award is made after independent reviews have been obtained and comments resolved; appropriate clearances/approvals have been obtained; and appropriate notifications have been made to the successful and unsuccessful offerors, Congressional offices and other stakeholders.

See the Review Thresholds and Protocol Subject Area for review thresholds and guides pertaining to Business Clearance for pre- award contract actions.

## 2.0 Contents

The table below defines EMCBC procedures that pertain to acquisition pre-award processes.

Procedures	Procedure Content
1. <a href="#">IP-540-11</a> , IPT-SEB Implementing Procedure	<ul style="list-style-type: none"> <li>This procedure establishes the process for managing an Integrated Project Team (IPT)/Source Evaluation Board (SEB) at the EMCBC and satellite locations. Also see <a href="#">HCA Directive 1.10</a>, EM HCA Policy on Non-Disclosure of Source Evaluation Board Members, for additional Head of Contracting Activity (HCA) requirements</li> </ul>
2. <a href="#">IP-540-02</a> , Receipt and Handling of Offerors' Proposals	<ul style="list-style-type: none"> <li>This procedure establishes the process for receiving offerors' proposal in response to an EMCBC issued solicitation.</li> </ul>
3. <a href="#">IP-540-06</a> , Procurement Request Packages, Including Financial Assistance	<ul style="list-style-type: none"> <li>This procedure establishes the general content requirements for procurement request/requisition packages.</li> </ul>
4. <a href="#">IP-540-04</a> , Handling Foreign Ownership, Control, or Influence (FOCI) Submission	<ul style="list-style-type: none"> <li>This procedure establishes the responsibilities for identifying and handling FOCI at the prime and subcontract levels.</li> </ul>
5. <a href="#">TI-OOC-001</a> , Organization of Contract, Financial Assistance and Interagency Agreement Files	<ul style="list-style-type: none"> <li>This technical instruction specifies a uniform method for organizing documents in contract files.</li> </ul>
6. <a href="#">PD-540-17</a> , Green Purchasing Program Description	<ul style="list-style-type: none"> <li>This program description establishes responsibilities and provides a comprehensive EMCBC-wide approach for implementing an effective Green Purchasing Program.</li> </ul>
7. <a href="#">IP-540-05</a> , Execution and Distribution of Award Documents	<ul style="list-style-type: none"> <li>This procedure includes guidance for the execution and distribution of contract award documents.</li> </ul>

### 3.0 Exhibits/Forms

- See the EMCBC [Policy Corner](#) for clauses and templates issued through DOE Policy Flashes.
- [Standardized Key Personnel Clause](#) (required to be included in all procurements over \$50 million)

### 4.0 Related Information

- [HCA Directive 1.1](#), HCA Approval of Contracting Officer Warrants
- [Office of Environmental Management Certificate of Appointments – Warrants](#), Memorandum dated April 4, 2012
- [HCA Directive 1.3](#), EM Acquisition Center Concept of Operations
- [HCA Directive 1.4](#), Department of Energy (DOE) Acquisition Forecast
- [HCA Directive 1.6](#), EM Procurement Review
- [HCA Directive 1.8](#), Small Business Set-aside Decisions (See Small Business Program Subject Area for directive and DOE F 4220.2)
- [HCA Directive 2.3](#), Adequacy Determination of Contractor's Accounting System and Cost Accounting Standards Applicability for EM Traditional (i.e. non M&O) Contracts
- [HCA Directive 2.4](#), Guidance for EM Section 311 Notification of Contract Actions
- [Performance Evaluation and Measurement Plans](#), Memorandum dated November 21, 2011
- [Past Performance Information Retrieval System \(PPIRS\)](#)
- [Strategic Integrated Procurement Enterprise System \(STRIPES\)](#)
- [Department of Energy's Acquisition Forecast System](#)
- [U.S. Department of Energy \(DOE\) Office of Procurement and Acquisition Management \(OPAM\)](#) Web site
- [GSA Federal Supply Schedules](#)
- [North American Industry Classification System \(NAICS\)](#)
- [SBA Table of Small Business Size Standards](#)

### 5.0 Requirements

Document	Title
<a href="#">FAR</a>	Federal Acquisition Regulation

<a href="#">FAR 1.7</a>	Determinations and Findings
<a href="#">FAR 3</a>	Improper Business Practices and Personal Conflicts of Interest
<a href="#">FAR 5</a>	Publicizing Contract Actions
<a href="#">FAR 7</a>	Acquisition Planning
<a href="#">FAR 8</a>	Required Sources of Supplies and Services
<a href="#">FAR 9</a>	Contractor Qualifications
<a href="#">FAR 10</a>	Market Research
<a href="#">FAR 12</a>	Acquisition of Commercial Items
<a href="#">FAR 13</a>	Simplified Acquisition Procedures
<a href="#">FAR 15</a>	Contracting by Negotiation
<a href="#">FAR 16</a>	Types of Contracts
<a href="#">FAR 17</a>	Special Contracting Methods
<a href="#">FAR 19</a>	Small Business Programs
<a href="#">DEAR</a>	DOE Acquisition Regulation
<a href="#">DOE G AC</a>	DOE Acquisition Guide
<a href="#">DOE ALs</a>	DOE Acquisition Letters
<a href="#">DOE Directives</a>	DOE Directives, Delegations, and Requirements

## 6.0 Definitions

Term	Definition
Business Clearance Review	A formal DOE process which requires certain procurement and financial assistance actions (solicitations, contracts, major contract

	changes, etc.) to be reviewed and approved by the DOE Senior Procurement Executive before execution.
Contract	A mutually binding legal relationship obligating the seller to furnish the supplies or services and the buyer to pay for them. It includes all types of commitments that obligate the Government to an expenditure of appropriated funds and that, except as otherwise authorized, are in writing. In addition to bilateral instruments, contracts include (but are not limited to) awards and notices of awards; job orders or task letters issued under basic ordering agreements; letter contracts; orders, such as purchase orders, under which the contract becomes effective by written acceptance or performance; and bilateral contract modifications. Contracts do not include grants and cooperative agreements covered by the Federal Grant and Cooperative Agreements Act of 1977. For discussion of various types of contracts, refer to the <a href="#">Types of Contracts</a> section in the Federal Acquisition Regulation (FAR).
Green Purchasing	The purchase of environmentally preferable products and services in accordance with one or more of the established Federal green procurement preference programs. (Also referred to as Affirmative Procurement)
Integrated Project Team (IPT)	A team formed for pre-acquisition purposes. IPT membership will ideally be, but is not required to be, the same as SEB membership.
Source Evaluation Board (SEB)	A team formed for acquisition purposes. Typically, SEB core members are the SEB Chair and other voting members, the Contracting Officer (CO) and the Contract/Acquisition Specialist.